

CLOSED,TYPE-I

U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:12-cv-00819-RBW

VETERANS GOVERNMENT CONTRACT CONSULTING v. DEPARTMENT OF VETERANS AFFAIRS et al
Assigned to: Judge Reggie B. Walton
Cause: 05:552 Freedom of Information Act

Date Filed: 05/21/2012
Date Terminated: 08/22/2013
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: Federal Question

Plaintiff

**VETERANS GOVERNMENT
CONTRACT CONSULTING**

represented by **Rowena N. Nelson**
LAW OFFICE OF ROWENA N.
NELSON LLC
1801 McCormick Drive
Suite 150
Largo, MD 20774
(301) 358-3271
Email: information@rnnlawmd.com
TERMINATED: 08/12/2013

V.

Defendant

**DEPARTMENT OF VETERANS
AFFAIRS**

represented by **Jeremy S. Simon**
U.S. ATTORNEY'S OFFICE
555 Fourth Street, NW
Washington, DC 20530
(202) 252-2528
Fax: (202) 514-8780
Email: jeremy.simon@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

ERIC SHINSEKI
*In his Official Capacity As Executive
Director, Small and Veteran Business
Programs*

represented by **Jeremy S. Simon**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

THOMAS J. LENEY
*In his Official Capacity As Executive
Director, Small and Veteran Business
Programs*

represented by **Jeremy S. Simon**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
05/21/2012	<u>1</u>	COMPLAINT against All Defendants (Filing fee \$ 350 receipt number 0090-2942272) filed by VETERANS GOVERNMENT CONTRACT CONSULTING. (Attachments: # <u>1</u> Exhibit Plaintiff's FOIA Request, # <u>2</u> Civil Cover Sheet, # <u>3</u> Summons)(Nelson, Rowena) (Entered: 05/21/2012)
05/21/2012		Case Assigned to Judge Reggie B. Walton. (mmh) (Entered: 05/22/2012)
05/22/2012	<u>2</u>	NOTICE <i>Summons for USDOJ</i> by VETERANS GOVERNMENT CONTRACT CONSULTING re <u>1</u> Complaint (Nelson, Rowena) (Entered: 05/22/2012)

05/22/2012	<u>3</u>	NOTICE <i>Corrected Summons for Defendants USDOJ, US Attorney, Skinseki, and Lenev</i> by VETERANS GOVERNMENT CONTRACT CONSULTING re <u>2</u> Notice (Other), <u>1</u> Complaint (Nelson, Rowena) (Entered: 05/22/2012)
05/22/2012	<u>4</u>	ELECTRONIC (4) SUMMONS Issued as to ERIC SHINSEKI, THOMAS J. LENEY, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Consent Notice)(ls,) (Entered: 05/22/2012)
05/22/2012	<u>5</u>	Amended Electronic (1) Summons Issued as to DEPARTMENT OF VETERANS AFFAIRS. (ls,) (Entered: 05/22/2012)
06/08/2012	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 5/29/2012. Answer due for ALL FEDERAL DEFENDANTS by 6/28/2012. (Nelson, Rowena) (Entered: 06/08/2012)
06/08/2012	<u>7</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. THOMAS J. LENEY served on 5/31/2012 (Nelson, Rowena) (Entered: 06/08/2012)
06/08/2012	<u>8</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. DEPARTMENT OF VETERANS AFFAIRS served on 5/31/2012 (Nelson, Rowena) (Entered: 06/08/2012)
06/08/2012	<u>9</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. ERIC SHINSEKI served on 5/31/2012 (Nelson, Rowena) (Entered: 06/08/2012)
06/14/2012	<u>10</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 6/6/2012. (Nelson, Rowena) (Entered: 06/14/2012)
06/28/2012	<u>11</u>	NOTICE of Appearance by Jeremy S. Simon on behalf of DEPARTMENT OF VETERANS AFFAIRS, ERIC SHINSEKI, THOMAS J. LENEY (Simon, Jeremy) (Entered: 06/28/2012)
06/28/2012	<u>12</u>	MOTION to Dismiss <i>Complaint</i> by DEPARTMENT OF VETERANS AFFAIRS, ERIC SHINSEKI, THOMAS J. LENEY (Attachments: # <u>1</u> Proposed Order)(Simon, Jeremy) (Entered: 06/28/2012)
07/12/2012	<u>13</u>	FIRST AMENDED COMPLAINT against DEPARTMENT OF VETERANS AFFAIRS filed by VETERANS GOVERNMENT CONTRACT CONSULTING.(nmw,) (Entered: 07/12/2012)
07/12/2012	<u>14</u>	Memorandum in opposition to re <u>12</u> MOTION to Dismiss <i>Complaint</i> filed by VETERANS GOVERNMENT CONTRACT CONSULTING. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Nelson, Rowena) (Entered: 07/12/2012)
07/20/2012	<u>15</u>	Consent MOTION for Extension of Time to <i>Answer or Otherwise Respond to Amended Complaint</i> by DEPARTMENT OF VETERANS AFFAIRS (Attachments: # <u>1</u> Proposed Order)(Simon, Jeremy) (Entered: 07/20/2012)
07/24/2012		MINUTE ORDER denying <u>12</u> Motion to Dismiss; granting <u>15</u> Motion for Extension of Time. In view of the plaintiff's First Amended Complaint <u>13</u> , it is ORDERED that the defendant's motion to dismiss the original complaint <u>12</u> is DENIED without prejudice as moot. It is further ORDERED that the defendant's Consent Motion to Answer or Otherwise Respond to Amended Complaint is GRANTED. The defendant shall respond to the plaintiff's amended complaint on or before August 30, 2012. Signed by Judge Reggie B. Walton on 7-24-12. (lcrbw3,) (Entered: 07/24/2012)
07/24/2012		Set/Reset Deadline: The defendant shall respond to the plaintiff's amended complaint on or before 8/30/2012. (ad) (Entered: 07/24/2012)
08/14/2012	<u>16</u>	WITHDRAWN PURSUANT TO NOTICE FILED 8/30/2012.....REQUEST for Production of Documents by VETERANS GOVERNMENT CONTRACT CONSULTING.(Nelson, Rowena) Modified on 8/31/2012 (znmw,). (Entered: 08/14/2012)

08/14/2012	<u>17</u>	WITHDRAWN PURSUANT TO NOTICE FILED 8/30/2012.....INTERROGATORIES Propounded to Department of Veteran Affairs Center for Veterans Enterprises by VETERANS GOVERNMENT CONTRACT CONSULTING.(Nelson, Rowena) Modified on 8/31/2012 (znmw,). (Entered: 08/14/2012)
08/14/2012	<u>18</u>	WITHDRAWN PURSUANT TO NOTICE FILED 8/30/2012.....NOTICE of Service of Discovery Material by VETERANS GOVERNMENT CONTRACT CONSULTING re <u>16</u> Request for Production of Documents, <u>17</u> Interrogatories Propounded (Nelson, Rowena) Modified on 8/31/2012 (znmw,). (Entered: 08/14/2012)
08/30/2012	<u>19</u>	NOTICE of Line Withdrawing Document #16, #17, and #18 by VETERANS GOVERNMENT CONTRACT CONSULTING re <u>16</u> Request for Production of Documents, <u>17</u> Interrogatories Propounded, <u>18</u> Notice (Other) (Nelson, Rowena) (Entered: 08/30/2012)
08/30/2012	<u>20</u>	ANSWER to <u>13</u> Amended Complaint by DEPARTMENT OF VETERANS AFFAIRS. Related document: <u>13</u> Amended Complaint filed by VETERANS GOVERNMENT CONTRACT CONSULTING.(Simon, Jeremy) (Entered: 08/30/2012)
09/04/2012	<u>21</u>	GENERAL ORDER AND GUIDELINES FOR CIVIL CASES. (mpt) (Entered: 09/04/2012)
09/04/2012	<u>22</u>	VACATED PURSUANT TO MINUTE ORDER ENTRY OF ORDER 10/16/2012. . . .for Initial Scheduling Conference set for 11/2/2012 09:15 AM in Courtroom 16 before Judge Reggie B. Walton. (mpt) Modified on 10/17/2012 (td,). (Entered: 09/04/2012)
10/09/2012	<u>23</u>	MOTION for Leave to File <i>Second Amended Complaint</i> by VETERANS GOVERNMENT CONTRACT CONSULTING (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Text of Proposed Order)(Nelson, Rowena) (Entered: 10/09/2012)
10/09/2012	<u>24</u>	Consent MOTION to Vacate <i>Order Dated September 4, 2012 Setting Initial Scheduling Conference</i> by DEPARTMENT OF VETERANS AFFAIRS (Attachments: # <u>1</u> Proposed Order)(Simon, Jeremy) (Entered: 10/09/2012)
10/16/2012		MINUTE ORDER granting <u>24</u> Motion to Vacate. For good cause shown, and in light of the parties' consent, the motion is GRANTED. It is hereby ORDERED that the September 4, 2012 Order <u>22</u> is VACATED and the initial scheduling conference scheduled for November 2, 2012 is ADJOURNED. It is further ORDERED that the parties shall file a joint status report on or before 30 days after the resolution of the pending motion for leave to file a second amended complaint <u>23</u> if the Court denies the motion for leave to file, or on or before 30 days after the filing of the second amended complaint if the Court grants the motion for leave to file. Signed by Judge Reggie B. Walton on 10/16/2012. (lcrbw2) (Entered: 10/16/2012)
10/25/2012	<u>25</u>	Memorandum in opposition to re <u>23</u> MOTION for Leave to File <i>Second Amended Complaint</i> filed by DEPARTMENT OF VETERANS AFFAIRS. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Proposed Order)(Simon, Jeremy) (Entered: 10/25/2012)
10/31/2012	<u>26</u>	REPLY to opposition to motion re <u>23</u> MOTION for Leave to File <i>Second Amended Complaint Plaintiff's Response to Defendant's Opposition to Plaintiff's Motion for Leave to Amend</i> filed by VETERANS GOVERNMENT CONTRACT CONSULTING. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4)(Nelson, Rowena) (Entered: 10/31/2012)
12/03/2012	<u>27</u>	Withdrawn pursuant to docket no. <u>33</u> . . . MOTION to Withdraw as Attorney for <i>Veterans Government Contract Consulting</i> by VETERANS GOVERNMENT CONTRACT CONSULTING (Attachments: # <u>1</u> Text of Proposed Order)(Nelson, Rowena) Modified on 6/12/2013 (td,). (Entered: 12/03/2012)
01/10/2013	<u>28</u>	Withdrawn pursuant to docket no. <u>33</u> . . . NOTICE of Non-Objection to Counsel's Motion to Withdraw by VETERANS GOVERNMENT CONTRACT CONSULTING (td,) Modified on 6/12/2013 (td,). (Entered: 01/11/2013)

01/10/2013	<u>29</u>	Withdrawn pursuant to docket no. <u>33</u> . . . MOTION for CM/ECF Password by VETERANS GOVERNMENT CONTRACT CONSULTING (td,) Modified on 6/12/2013 (td,). (Entered: 01/11/2013)
05/13/2013	<u>30</u>	Withdrawn pursuant to docket no. <u>33</u> . . . MOTION for appropriate relief, MOTION for Hearing by VETERANS GOVERNMENT CONTRACT CONSULTING (Attachments: # <u>1</u> Exhibit)(jf,) Modified on 6/12/2013 (td,). (Entered: 05/16/2013)
05/20/2013	<u>31</u>	MOTION to Stay <i>Response Deadline to "Motion for Appropriate Relief and Request for Hearing"</i> (ECF No. 30) Or, Alternatively,, MOTION for Extension of Time to File Response/Reply to <i>"Motion for Appropriate Relief and Request for Hearing"</i> by DEPARTMENT OF VETERANS AFFAIRS (Attachments: # <u>1</u> Proposed Order)(Simon, Jeremy) (Entered: 05/20/2013)
05/30/2013	<u>32</u>	ORDER. Per the attached Order, it is ORDERED that the plaintiff, though its current counsel, Rowena N. Nelson, or other counsel retained by the plaintiff, show cause in writing on or before June 13, 2013, why the Court should grant the pending Motion to Withdraw Appearance as Attorney for Plaintiff. Signed by Judge Reggie B. Walton on 5/30/2013. (lcrbw2) (Entered: 05/30/2013)
05/30/2013		MINUTE ORDER granting <u>31</u> Motion to Stay; denying as moot <u>31</u> Motion for Extension of Time to File Response/Reply. Upon consideration of the defendant's Motion to Stay Response Deadline (see ECF No. <u>31</u>), and for good cause shown, it is ORDERED that the motion is GRANTED. The deadline for the defendant to file a response to the plaintiff's Motion for Appropriate Relief and Request for Hearing (see ECF No. <u>30</u>) is STAYED until further order of this Court. The Court having stayed the response deadline, it is FURTHER ORDERED that the defendant's motion in the alternative for an extension of time to respond to the plaintiff's motion (see ECF No. <u>30</u>) is DENIED AS MOOT. Signed by Judge Reggie B. Walton on 5/30/2013. (lcrbw2) (Entered: 05/30/2013)
05/31/2013		Set/Reset Deadlines: Show Cause in writing by 6/13/2013. (mpt) (Entered: 05/31/2013)
06/11/2013	<u>33</u>	WITHDRAWAL of Motion by VETERANS GOVERNMENT CONTRACT CONSULTING re <u>27</u> MOTION to Withdraw as Attorney for <i>Veterans Government Contract Consulting</i> filed by VETERANS GOVERNMENT CONTRACT CONSULTING, <u>29</u> MOTION for CM/ECF Password filed by VETERANS GOVERNMENT CONTRACT CONSULTING, <u>30</u> MOTION for appropriate relief MOTION for Hearing filed by VETERANS GOVERNMENT CONTRACT CONSULTING . (Nelson, Rowena) (Entered: 06/11/2013)
06/12/2013		MINUTE ORDER. In light of the plaintiff's Line to Withdraw Docket Entries #27, #28, #29, and #30 (see ECF No. <u>33</u>), it is ORDERED that the Court's March 30, 2013 order to show cause is DISCHARGED. Signed by Judge Reggie B. Walton on 6/12/2013. (lcrbw2) (Entered: 06/12/2013)
06/24/2013	<u>34</u>	ORDER. For reasons stated in the attached order, it is hereby ORDERED that the plaintiff shall show cause in writing on or before July 1, 2013, why its motion should not be denied for failure to comply with Local Civil Rule 7(i). Signed by Judge Reggie B. Walton on 6/24/2013. (lcrbw2) (Entered: 06/24/2013)
06/24/2013		Set/Reset Deadlines: Response to Show Cause due by 7/1/2013. (tg,) (Entered: 06/24/2013)
07/01/2013	<u>35</u>	RESPONSE TO ORDER OF THE COURT re <u>34</u> Order, filed by VETERANS GOVERNMENT CONTRACT CONSULTING. (Attachments: # <u>1</u> 2nd Amended Complaint, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6)(Nelson, Rowena) (Entered: 07/01/2013)
08/06/2013	<u>36</u>	Emergency MOTION to Withdraw as Attorney for <i>Plaintiff</i> by VETERANS GOVERNMENT CONTRACT CONSULTING (Attachments: # <u>1</u> Proposed Order)(Nelson, Rowena) (Entered: 08/06/2013)
08/09/2013		Set/Reset Hearings: Status Conference set for 8/20/2013 10:00 AM in Courtroom 16 before Judge Reggie B. Walton. (mpt,) (Entered: 08/13/2013)

08/12/2013	<u>37</u>	ORDER granting <u>36</u> Motion to Withdraw as Attorney. In accordance with the attached order, it is ORDERED that the motion is GRANTED, and Attorney Rowena N. Nelson is hereby terminated as counsel in this action. It is further ORDERED that the plaintiff, along with new counsel, and the defendant shall appear before the Court for a status hearing on Tuesday, August 20, 2013, at 10:00 a.m. It is further ORDERED that Attorney Nelson shall inform the plaintiff of its obligation to appear before the Court with its new counsel at the August 20, 2013 hearing and that the plaintiff's failure to do so will result in the dismissal of this action without prejudice. Signed by Judge Reggie B. Walton on 8/9/2013. (lcrbw2) (Entered: 08/12/2013)
08/12/2013	<u>38</u>	ORDER. Upon the oral motion to seal by Attorney Rowena N. Nelson during the August 9, 2013 ex parte hearing before this Court, and in accordance with the attached order, it is ORDERED that the motion is GRANTED. The Clerk is directed to SEAL the transcript and other records of the ex parte August 9, 2013 hearing. Signed by Judge Reggie B. Walton on 8/9/2013. (lcrbw2) (Entered: 08/12/2013)
08/20/2013	<u>39</u>	ORDER. For the reasons stated in the attached order, it is ORDERED this action is DISMISSED WITHOUT PREJUDICE and any pending motions are TERMINATED. The Clerk is directed to mail a copy of this order to the plaintiff. Signed by Judge Reggie B. Walton on 8/20/2013. (lcrbw2) (Entered: 08/20/2013)
08/20/2013		Minute Entry for proceedings held before Judge Reggie B. Walton: Status Conference held on 8/20/2013. (Court Reporter Cathryn Jones.) (mpt,) (Entered: 08/21/2013)